

NOTICE OF REQUEST FOR REAL ESTATE PROPOSALS

City of Crown Point, Indiana

Notice is hereby given that the City of Crown Point, Indiana shall receive sealed proposals at the Office of the Clerk/Treasurer, 101 N. East St., Crown Point, Indiana, until 11:00 A.M. (local time) on May 4, 2022. All timely received sealed proposals will be publicly opened and read aloud at the regularly scheduled meeting of the Crown Point Board of Public Works and Safety at 11:00 A.M. (local time) on May 4, 2022. Any proposal(s) received later than 11:00 A.M. (local time) on May 4, 2022 shall be returned unopened.

The purpose of this Request for Real Estate Proposals is to enable the City of Crown Point or affiliated entity to select an appropriate property that will satisfy the City of Crown Point's need to acquire a parcel of real estate for a new Wastewater Treatment Plant (WWTP). Successful proposals may include a parcel of real estate that meets the following conditions:

- A. The real estate is located either within City of Crown Point limits or Lake County, but not with another community. The real estate must also be located on the southeast side of the City (see attached map).
- B. The real estate is approximately 40 acres or larger (can be a combination of multiple parcels, but the parcels must be adjacent).
- C. The real estate is adjacent to or contains a segment of the Niles Ditch.
- D. The real estate contains a minimal amount of acreage within the floodway (no more than half of the real estate may be located within the floodway).
- E. The real estate contains a minimal amount of wetland acreage (less than 0.1 acre). Real estate parcels with a higher acreage of wetlands may be considered.

Each proposer must ensure that all employees and applicants for employment are not discriminated against because of race, creed, color, sex or national origin. Each proposer shall be in compliance with the City of Crown Point's Responsible Bidding Ordinance 2008-01-06, if applicable. Each proposer shall participate in the E-verify program according to IC 22-5-1.7 et seq., if applicable. Each proposer must submit certification with its proposal that it has not participated in collusion or other anticompetitive practices in connection with its proposal by executing and returning with its bid a Non-Collusion Affidavit. As required by IC 5-22-16.5, each proposer must submit with its proposal a certification that it is not engaged in investment activities in Iran. Providing false certification may result in the consequences listed in IC 5-22-16.5-14. A successful proposer will be required to execute a subsequent formal agreement with the City of Crown Point, Indiana committing the proposer to fulfilling the commitments made by it within its proposal.

A full map of the area in which real estate proposals will be accepted can be found in the Request for Property Proposals. Proposal packets may be picked up at the Clerk-Treasurer's Office M-F from 8:30 AM to 4:30 PM, or by emailing tciciora@crownpoint.in.gov

Dated this 25th day of March, 2022.

David D.F. Uran, Mayor

City of Crown Point

Request for Real Estate Proposals

Issued March 25, 2022

Response Due Date May 4, 2022

City of Crown Point
Mayor's Office
101 N East Street
Crown Point, IN 46307

Section One

General Information and Requested Services

1.1. INTRODUCTION

The City of Crown Point is seeking proposals for a real estate located within the City of Crown Point or the surrounding Lake County area. The attached map shows the area in which the real estate must be located.

1.2. PURPOSE OF THE REQUEST FOR REAL ESTATE PROPOSALS

The purpose of this Request for Real Estate Proposals is to enable the City of Crown Point or affiliated entity to select an appropriate property that will satisfy the City of Crown Point's need to acquire a parcel of real estate for a new Wastewater Treatment Plant (WWTP). Successful proposals may include a parcel of real estate that meets the following conditions:

- E. The real estate is located either within City of Crown Point limits or Lake County, but not with another community. The real estate must also be located on the southeast side of the City (see attached map).
- F. The real estate is approximately 40 acres or larger (can be a combination of multiple parcels, but the parcels must be adjacent).
- G. The real estate is adjacent to or contains a segment of the Niles Ditch.
- H. The real estate contains a minimal amount of acreage within the floodway (no more than half of the real estate may be located within the floodway).
- E. The real estate contains a minimal amount of wetland acreage (less than 0.1 acre). Real estate parcels with a higher acreage of wetlands may be considered.

1.3. QUESTIONS

All questions and inquiries regarding this Request for Real Estate Proposals must be submitted in writing by **4:00 P.M. on April 13, 2022**. Questions and inquiries may be submitted via email to tciciora@crownpoint.in.gov or by mail to 705 Industrial Blvd., Crown Point, IN 46307 to the attention of Terry Ciciora. All communication/questions must be in writing (emails are considered to be in writing).

1.4. DUE DATE FOR PROPOSALS

All proposals must be submitted by mail or delivered to the City of Crown Point Clerk-Treasurer Office located at 101 N East Street Crown Point, IN 46307. All proposals are due by **11:00 A.M. on May 4, 2022**. All proposals must be in a sealed envelope with **"PROPOSAL FOR WWTP REAL ESTATE"** clearly written on the outside of the envelope.

1.5. PROPOSAL SOLICITATIONS, CLARIFICATIONS AND DISCUSSIONS

The City of Crown Point or related entity reserves the right to solicit proposals and request clarification on proposals. At its sole discretion, the City of Crown Point also reserves the right to conduct proposal discussions either oral or written with proposers before and after submission.

1.6. SITE VISIT

The site must be made open for outside public right-of-way inspection.

1.7. CONTRACT OBLIGATIONS

The selected proposer will be responsible for the performance of any obligations that may result from this Request for Proposals in support of purchase by City and shall not be relieved by the non-performance of any affiliated parties. Should an option to purchase be held by the offering party, this option and corresponding deadlines should be clearly denoted within the Request for Proposal.

1.8. CONFIDENTIAL INFORMATION

Proposers are to be advised that materials contained in proposals are subject to the Indiana Public Records Act, IC 5-14-3 *et seq.*, and, after the contract award, the entire Request for Proposal file may be viewed and copied by any member of the public, including news agencies and competitors. Proposers claiming a statutory exception to the Indiana Public records Act must place all confidential documents (including the requisite number of copies) in a sealed envelope clearly marked "Confidential" and must indicate in the transmittal letter and on the outside of that envelope that confidential materials are included. The proposer must also specify which statutory exception of the Public Records Act applies.

The City of Crown Point reserves the right to make determinations of confidentiality. If the City of Crown Point does not agree that the information designated is confidential under one of the disclosure exceptions to the Indiana Public Records Act, it may either reject the proposal or discuss its interpretation of the allowable exceptions with the proposer.

If an agreement can be reached, the proposal will be considered. If an agreement cannot be reached, the City of Crown Point will remove the proposal from consideration for award and return the proposal to the proposer. The City of Crown Point will not determine any prices or costs to be confidential information.

1.9. PROPOSAL LIFE

Any and all portions of this Request for Real Estate Proposals and any or all portions of the proposer's response are binding and are incorporated as part of the final contract.

1.10. TAXES AND FEES

The City of Crown Point, Indiana is exempt from federal, state, and local taxes. Neither organization will be responsible for any taxes levied on the real estate as a result of this Request for Proposals. Furthermore, the winning proposer will be responsible for reimbursing the City of Crown Point for all Public Notice costs associated with this Request for Proposals, reimbursement

of all attorney's fees (including unforeseen court hearings, filings, potential objections) to complete this transaction. Proposer will also be expected to pay for all title work and closing costs associated with said transaction. All costs will be due and payable at closing. No surveys, inspections, warranties or other guarantees will be provided.

1.11. DUE DILIGENCE, ENVIRONMENTAL PHASE I AND INSPECTIONS

The Real Estate shall be transferred in an "AS IS/WHERE-IS" condition. Proposers are solely responsible for completing their own due diligence, research, environmental assessments, bonafide prospective purchaser work and inspections. Neither the City of Crown Point, any related entity will be responsible for ANY conditions either known or unknown at the real estate. The successful proposer may be required to complete a Phase I Environmental Assessment, obtain a comfort letter or other required bonafide prospective purchaser documentation from IDEM after the City of Crown Point has made their award determination. This work if deemed necessary must be complete prior to the transfer of the real estate. The proposer agrees to indemnify and defend the City of Crown Point in the event of any legal actions.

1.14. PERFORMANCE BOND

There is no requirement for the proposers to submit a cashier's check or performance bond with its proposal submission.

1.15. SUMMARY OF MILESTONES

<u>Milestone</u>	<u>Expected Completion Date</u>
Issue Request for Proposal	3-25-22
Questions to Request for Proposal	4-13-22 by 4pm
Request for Proposal's Due	5-4-22 by 11am
City to Open Request for Proposals	5-4-22 @ 11am
Contract Award	TBD
Closing	TBD
Purchase of Property Completed	≤ 8-31-2022

Section Two

Property Proposals Preparation Instructions

2.1 General

To facilitate the timely evaluation of proposals, a standard format for proposal submission has been developed. All proposers are required to format their proposals in a manner consistent with the guidelines described below:

Please note, ALL items must be addressed by the proposer.

Attach a copy of the real estate deed and copies of purchase / option to purchase documents. Use a separate sheet of paper if necessary to answer the questions completely.

Proposal for Real Estate

Proposer's Name: _____

Property Owner's Name (if different than Proposer): _____

Property Address: _____

Phone Number/Email Address: _____

I hereby propose the following value for the real estate noted above:

➤ \$ _____ (in Numbers)

➤ \$ _____ (in Words)

Please provide additional description of the location of the real estate, including the parcel number, and whether the real estate is located within City limits or otherwise. Please note if the proposal includes multiple parcels of real estate and provide the parcel numbers for each.

Please provide the total acreage of the real estate. If the proposal includes more than one parcel of real estate, provide the acreage of each and total.

Please indicate whether the real estate contains or is adjacent to a segment of the Niles Ditch.

Please provide the total acreage of the real estate that is located within the floodway, if any.

Please provide that total acreage of wetlands identified on the real estate, if any.

Are there any residences, businesses, or other developments located on the real estate?

____ Yes ____ No

If "Yes" please describe. _____

What is the total anticipated assessed value of the real estate? \$ _____

Are there any residences, businesses, or other developments located adjacent to the real estate?

____ Yes ____ No

If "Yes" please describe. _____

Do the real estate parcel owner or the proposer currently own or operate a business associated with real estate or land development within Crown Point or Lake County?

____ Yes ____ No

Describe any environmental conditions of the real estate that may otherwise impact the suitability of the same for development (to the best of your knowledge). This includes any anticipated or possible accidental releases of any contaminants into the air, soil, or groundwater during demolition of existing structures or construction of new structures. (Include any required federal, state, or local permits that you have acquired previously or that you anticipate may be required for additional or new development). Identify current zoning (if applicable).

Is the real estate owner or proposer or affiliated business entities in any way associated with any previous owners of the real estate by either personal, family, business, etc.,? ____ Yes ____ No

If "Yes" please describe your affiliation. _____

Is real estate owner current on ALL business, personal and real estate property taxes related to the real estate? ____ Yes ____ No

Has the real estate owner or proposer or affiliated business entities had any real estate associated in a tax sale proceeding in the past? ____ Yes ____ No

Does the real estate owner or proposer or affiliated business entities have any current liens or judgements against it?

____ Yes ____ No

If "Yes" Please Explain:

Please describe any characteristics of the real estate you believe may be beneficial to its development for municipal use.

The undersigned, by completing the proposal above and submitting it, agree to immediately execute said proposal upon award and to have all purchase documents completed on or before **August 31, 2022**. Furthermore, the undersigned recognize that if awarded the purchase of real estate, it will be transferred in an "AS IS/WHERE-IS" condition. The undersigned acknowledges that he/she/it is responsible for doing its due diligence prior to award and agrees to hold the City of Crown Point and all other associated parties and/or entities harmless from any liability related to this Request for Real Estate Proposals or the real estate being acquired.

Signed:

Date:

Section Three Proposal Evaluation

3.1 Proposal Evaluation Process

The evaluation and selection of a proposer will be at the sole discretion of the City of Crown Point. The selection process will take into consideration a myriad of factors and the awarded proposal shall be the one deemed most beneficial to the needs of the City of Crown Point. The City of Crown Point reserves the right to negotiate with responding proposers and seek clarification of information prior to an award. The City of Crown Point may disqualify a responding proposer at its sole discretion.

The selected Proposer will be notified of the City of Crown Point's intention to award said selection of real estate. Any proposer may be expected to attend a City of Crown Point Board of Public Works and Safety meeting to further explain its proposal and answer questions related thereto. Final award will issue from the City of Crown Point or a related entity for the proposal deemed most beneficial, most responsive and most reasonable to the City of Crown Point.

Section Four Subject Property Map (See Attached)